

State of Wisconsin
Before the Government Accountability Board

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GOVERNMENT
ACCOUNTABILITY BOARD

The Complaint of
Kapenga for Assembly
Chris Kapenga,
Complainant

Assembly

VERIFIED COMPLAINT

Tom Hibbard for Assembly,
Thomas D. Hibbard
Respondent

This complaint is under Chapter 8 of the Wisconsin Statutes and GAB 2 of the State of Wisconsin Administrative Code. I, Chris Kapenga allege that:

1. I am a resident of the State of Wisconsin, a qualified elector, and a candidate for the 99th Assembly District with a mailing address of N9W31035 Concord Court, Delafield, WI 53018.
2. Tom Hibbard for Assembly is the personal campaign committee for Thomas D. Hibbard ("Hibbard"), who listed his address, as filed with the Government Accountability Board, as N48W31390 State Road 83, Hartland, WI 53029, has filed nomination papers with the Government Accountability Board for certification as a Democratic candidate for State Assembly for Wisconsin's 99th District (the "District") on the November 6, 2012 ballot.

**SIGNATURES MISSING COMPLETE ADDRESS,
MUNICIPALITY,
OR CORRECT MUNICIPALITY OF RESIDENCE**

3. To be valid, the petitions must contain "a complete address, including municipality of residence for voting purposes, and the street and number, if any, of the residence...shall be listed for each signature on a nomination paper." GAB 2.05(12).
4. Signatures may not be counted where the "address of the signer is missing or incomplete, unless the residency can be determined by the information provided on the nomination paper." GAB 2.07(16)(c).
5. If it is established that "the address of the signer, is not valid, the signature may not be counted." GAB 2.07(3)(c).
6. In addition, Wisconsin law requires that "each signer of a nomination paper shall list his or her municipality of residence for voting purposes, the street and number, if any, on which the signer resides, and the date of signing" Wis. Stat. § 8.15(2).
7. The following Nomination Paper entries are missing the appropriate street address information in contravention of Wis. Stat. § 8.15(2) and GAB 2.05(12):
 - a. Page 1, line 2. A copy of page 1 is attached.
 - b. Page 3 (circulated by Hibbard) line 1. A copy of page 3 is attached.
 - c. Page 3 (circulated by Hibbard), line 2. A copy of page 3 is attached
8. The following Nomination Paper entries are missing the appropriate date of signing information in contravention of Wis. Stat. § 8.15(2) and GAB 2.05(12):

- a. Page 5, line 4. A copy of page 5 is attached.
- b. Page 5, line 5. A copy of page 5 is attached.
- c. Page 5, line 6. A copy of page 5 is attached.
- d. Page 5, line 7. A copy of page 5 is attached.
- e. Page 6, line 1. A copy of page 6 is attached.
- f. Page 6, line 2. A copy of page 6 is attached.
- g. Page 6, line 3. A copy of page 6 is attached.
- h. Page 6, line 4. A copy of page 6 is attached.
- i. Page 6, line 5. A copy of page 6 is attached.
- j. Page 6, line 6. A copy of page 6 is attached.
- k. Page 6, line 7. A copy of page 6 is attached.
- l. Page 7, line 9. A copy of page 7 is attached.
- m. Page 12, line 1. A copy of page 12 is attached.
- n. Page 14, line 4. A copy of page 14 is attached.
- o. Page 15, line 6. A copy of page 15 is attached.
- p. Page 21, line 6. A copy of page 21 is attached.
- q. Page 21, line 7. A copy of page 21 is attached.
- r. Page 21, line 8. A copy of page 21 is attached.
- s. Page 21, line 9. A copy of page 21 is attached.
- t. Page 29, line 2. A copy of page 29 is attached.

Election Date Missing or Incorrect

9. Each nomination paper shall have substantially the following words printed at the top:

I, the undersigned, request that the name of (insert candidate's last name plus first name, nickname or initial, and middle name, former legal surname, nickname or middle initial or initials if desired, but no other abbreviations or titles) residing at (insert candidate's street address) be placed on the ballot at the (general or special) election to be held on (date of election) as a candidate representing the (name of party) so that voters will have the opportunity to vote for (him or her) for the

other candidate for the same office at this election. Each candidate shall include his or her mailing address on the candidate's nomination papers. Wis. Stat. § 8.15(5)(a)(b). The following nomination pages are missing the election date.

- a. Pages 8, 11, 17, 18, 19, 23 and 28. A copy of pages 8, 11, 17, 18, 19, 23 and 28 are attached.

Name of Jurisdiction or District in which candidate seeks office is incorrectly listed

- 10. The following Nomination Paper entries are missing the appropriate name of jurisdiction or district in which candidate seeks office. Wis. State § 8.15(5).

- a. Pages 1-30, all nomination papers for Thomas D. Hibbard list jurisdiction or district incorrectly as "State of Wisconsin". A copy of pages 1-30 are attached.

Candidate Fails to Complete Nomination Paper for Partisan Office

- 11. The following Nomination Paper entries are missing the appropriate name of jurisdiction or district in which candidate seeks office. Wis. State § 8.15(5).

- a. Pages 1-30, all nomination papers for Thomas D. Hibbard fail to check off "him". "her" on nomination papers. A copy of pages 1-30 is attached.

WHEREFORE, Complainant prays that the Government Accountability Board review the sufficiency of Respondent's nomination papers and declare them to be invalid in whole or in part; and render such other relief that the Government Accountability Board may deem just and equitable.

Date: June 4, 2012.

6-4-12

Chris Kapenga

Chris Kapenga
Kapenga for Assembly

I, Chris Kapenga, being first duly sworn on oath state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and believe, I believe them to be true.

6-4-12

Chris Kapenga

Chris Kapenga

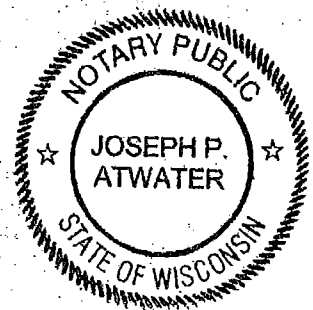
STATE OF WISCONSIN)

) ss.

County of Waukesha)

Sworn to before me this 4th day of June, 2012.

Joseph P. Atwater



My commission expires 3/31/13, or is permanent